

17B-1-210 Public hearing.

- (1) The legislative body of each county and municipality with which a request is filed or that adopts a resolution under Subsection 17B-1-203(1)(d) and the board of trustees of each local district that adopts a resolution under Subsection 17B-1-203(1)(e) shall hold a public hearing or a set of public hearings, sufficient in number and location to ensure that no substantial group of residents of the proposed local district need travel an unreasonable distance to attend a public hearing.
- (2) Each public hearing under Subsection (1) shall be held:
 - (a) no later than 45 days after:
 - (i) for a public hearing on a request, certification of a request under Subsection 17B-1-206(1)(b) (i); or
 - (ii) for a public hearing on a resolution, adoption of a resolution under Subsection 17B-1-203(1) (d) or (e);
 - (b) within the proposed local district;
 - (c) except as provided in Subsections (6) and (7), within the applicable area; and
 - (d) for the purpose of:
 - (i) for a public hearing on a request, allowing public input on:
 - (A) whether the requested service is needed in the area of the proposed local district;
 - (B) whether the service should be provided by the county or municipality or the proposed local district; and
 - (C) all other matters relating to the request or the proposed local district; or
 - (ii) for a public hearing on a resolution, allowing the public to ask questions of and obtain further information from the governing body holding the hearing regarding the issues contained in or raised by the resolution.
- (3) A quorum of each governing body holding a public hearing under this section shall be present throughout each hearing held by that governing body.
- (4) Each hearing under this section shall be held on a weekday evening other than a holiday beginning no earlier than 6 p.m.
- (5) At the beginning and end of each hearing concerning a resolution, the governing body shall announce the deadline for filing protests and generally explain the protest procedure and requirements.
- (6) Two or more county or municipal legislative bodies may jointly hold a hearing or set of hearings required under this section if all the requirements of this section, other than the requirements of Subsection (2)(c), are met as to each hearing.
- (7) Notwithstanding Subsection (2)(c), a governing body may hold a public hearing or set of public hearings outside the applicable area if:
 - (a) there is no reasonable place to hold a public hearing within the applicable area; and
 - (b) the public hearing or set of public hearings is held as close to the applicable area as reasonably possible.

Amended by Chapter 68, 2011 General Session